



Paper No. 44

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**OFFICE OF PETITIONS**

In re Application of  
David B. Smith  
Application No. 08/976,440  
Filed: November 25, 1997  
Attorney Docket No. MUR-3494

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**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed August 27, 2001, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to properly reply to the non-final Office action mailed December 12, 2000. An improper RCE without a submission and accompanied by a three month extension of time was filed June 7, 2001. Accordingly, this application became abandoned on June 13, 2001. A Notice of Abandonment was mailed on July 3, 2001.

The file is being forwarded to Technology Center 3600.

Telephone inquiries concerning this matter may be directed to Lesley Morris at (703) 306-0028.

Edward J. Tannouse  
Petitions Attorney  
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for Patent Examination Policy